

ASSIGNED

52321

Serial No.

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office..... JUL 13 1988
 Returned to applicant for correction..... OCT 30 1989
 Corrected application filed..... NOV 02 1989 Map filed..... May 14, 1980 under 41343

The applicant..... B C & D Enterprises
 P.O. Box 372 of Winnemucca
Street and No. or P.O. Box No. City or Town
Nevada 89445 hereby make application for permission to change the
State and Zip Code No.
point of diversion of a portion
Point of diversion, manner of use, and/or place of use
 of water heretofore appropriated under..... Permit 41358
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

- The source of water is..... underground
Name of stream, lake, underground spring or other source.
- The amount of water to be changed..... 1.6174 c.f.s.
Second feet, acre feet. One second foot equals 448.3 gallons per minute.
- The water to be used for..... quasi municipal
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for..... quasi municipal
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point within the SW1/4 SE1/4 of Section 11,
T.35N., R.37E., M.D.B.&M. or at a Describe as being within a 40-acre subdivision of public survey and by course and
point from which the SE corner of said Section 11 bears S 73° E 1882.0'
distance to a section corner. If on unsurveyed land, it should be stated.
- The existing permitted point of diversion is located within the NE1/4 NE1/4 of Section 11,
T.35N., R.37E., M.D.B.&M. or at a point If point of diversion is not changed, do not answer
from which the NE corner of said Section 11 bears N 81°15' E 986.5'.
- Proposed place of use..... unchanged
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
- Existing place of use portions of Section 1 and 11; portions of NW1/4 NW1/4
of Section 12; Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
NW1/4, N1/2 NE1/4 of Section 14, NE1/4 of Section 15, all within
manner of use of irrigation permit, describe acreage to be removed from irrigation.
T.35N., R.37E., M.D.B.&M.
- Use will be from..... January 1st to December 31st of each year.
Month and Day Month and Day
- Use was permitted from..... January 1st to December 31st of each year.
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) drilled well, pipeline and water
State manner in which water is to be diverted, i.e., diversion structure, ditches,
distribution system.
pipes and flumes, or drilled well, etc.
- Estimated cost of works in excess of \$10,000.
- Estimated time required to construct works..... complete - see well log filed under
Permit 41357.

14. Estimated time required to complete the application of water to beneficial use..... 5 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

See map supporting Permit 41357 for the proposed point of diversion.

s/Robert N. Caldwell
By Robert N. Caldwell
146 W. Second Str.
Winnemucca, NV 89445

Compared bp/se ab/vw

Protested

APPROVAL OF STATE ENGINEER

This is to certify I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 41358 is issued subject to the terms and conditions imposed in said Permit 41358 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 38115, 41357, 41359, 52320, 52321 and 57069 shall not exceed 654.4 million gallons annually for service of 1793 single family residences.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.6174 cubic feet per second, but not to exceed a yearly duty of 381.54 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before January 16, 1995

Proof of completion of work shall be filed before February 16, 1995

Application of water to beneficial use shall be made on or before January 16, 1996

Proof of the application of water to beneficial use shall be filed on or before February 16, 1996

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed MAR - 3 1995

Proof of beneficial use filed

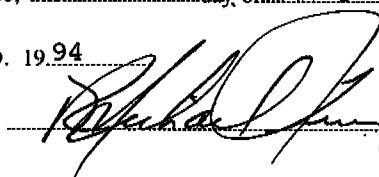
Cultural map filed

Certificate No. 4534 Issued

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 10th day of May

A.D. 1994


State Engineer